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FACSIMILE COVER SHEET

April 2, 2004

TO: Kimberly D. Nguyen

COMPANY: USPTO, GAU 2876

FROM: Lowell Anderson

OUR REF: GESTN-001A **YOUR REF:** 10/090,120

FAX NO.: 703-872-9306

NO. OF PAGES INCLUDING THIS COVER SHEET 3

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MESSAGE:

Attached is the Interview Agenda per your request.

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* ADMITTED TO FLORIDA AND D.C. BAR ONLY
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Applicants:	Gerald Steiner)	Confirmation No.: 3606
Serial No.:	10/090,120)	
)	Art Unit: 2876
Filed:	02/28/2002)	
)	Examiner: Nguyen, Kimberly D.
For:	PACKAGE AND METHOD OF)	
	<u>MERCHANDISE RETURN VIA MAIL</u>)	

Unofficial**INTERVIEW AGENDA**

In response to the request for an Interview Agenda as a condition for conducting phone interview on April 8, 2004 (11:30 Eastern Time), I submit the following:

1. Independent Claim 1, (and claims dependent thereon)

Claim 1 defines "bar code, wherein the bar code identifies the customer."

Agenda Item 1: whether Fig. 3, Col. 5, lines 56- Col. 6, line 9 of Kadaba, which is cited by the Examiner, discloses a barcode 30 that identifies the customer so as to support a §102 rejection.

Applicant contends the cited portion of Kadaba refers to Fig. 3 to describe checking in items using a personal digital assistant (PDA) in one of very two different ways. The first way uses a wand to scan a barcode 30 on the item. The second way downloads tracking information into the PDA from a driver's portable data acquisition device such as a DIAD. It is only the data downloaded from the DIAD device that can include the identity of the intended recipient, not the barcode. There thus sees no disclosure that Kadaba uses barcode to include the claimed information.

The Applicant wants to understand the Examiner's view on how the cited text supports the § 102 rejection.

2. Independent Claim 5 & claims dependent thereon

Claim 5 defines "updating the customer's order and return history."

Agenda Item 2: Whether Hauser, Figs. 1-6, abstract, col. 2, lines 9-38, col. 3, lines 43-Col. 6, line 17, updates the customers return history as cited by the Examiner.

The Applicant believes all the cited portion shows is that the customer's account is credited for the returned merchandise. That is not the same as updating the return

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history of the customer. See Specification at 11, lines 10-18; page 12, lines 1-5 and 21-25, page 14, lines 10-18.

The Applicant wants to better understand the Examiner's interpretation of the cited portions of Hauser and how they support the claim rejection.

Agenda Item 3: Whether Markman Figs. 1-6, Col. 5, lines 62-Col. 6, line 40, Col. 8, lines 63 – Col. 9, line 19, disclose tracking a customer order history.

The Applicant believes Markman tracks the items of laundry submitted for cleaning with each transaction and deletes the removable tracking number and reuses it once the items are returned to the customer. There is no tracking of laundry beyond each separate transaction.

The Applicant wants to better understand the Examiner's view of the cited portions of Markman.

Agenda Item 4: Markman describes a laundry tracking system and Hauser describes a system in which store merchandise is returned to a central location for disposal.

The Applicant wants to better understand what basis, in the record, is relied on for the motivation to combine these two references. It seems to the Applicant that no one is going to turn their dry cleaning (Markman) in to a clearing house (Hauser) so the references are not combinable without using hindsight.

By:

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